



# ACCESSORY DWELLING UNIT CHECKLIST – MULTI-FAMILY RESIDENTIAL

Development Service Department • 777 B Street Hayward, CA 94541

<https://www.hayward-ca.gov/content/accessory-dwelling-unit-information-and-permit-process>

**Project Address:** \_\_\_\_\_ **APN:** \_\_\_\_\_

Pursuant to Government Code Sections 65852.2 (State law), Accessory Dwelling Units (ADUs) are permitted to be constructed on properties with existing attached multi-family dwellings. ADUs are independent units with complete provisions for sleeping, cooking, and sanitation and may be located within existing non-living area or detached from the primary structures. *Junior Accessory Dwelling Units (JADUs) are not permitted on multi-family properties.*

ADUs are permitted to be constructed on properties with existing or proposed multi-family dwellings pursuant to State law – Government Code Sections 65852.2 and 65852.22.

**Eligibility Worksheet** – Below are development standards for ADUs. Please indicate whether the proposed project meets these standards by filling in the blanks and circling “YES”, “NO”, or “N/A” for each section. If you answer “YES” or “N/A” to all of the questions, your application is eligible for ministerial ADU review by staff. If you answered “NO” to any of the questions, your application does not qualify for ADU Clearance and may require further review for compliance.

Does the ADU(s) meet the following development standards?	Compliance (Circle One)	
1. <b>Zoning. Does the project site have two or more attached dwelling units on the property?</b> Properties with existing dwelling units with ADUs are <u>not</u> considered multi-family properties for the purposes of additional ADUs.	Yes	No
2. <b>Construction Documents. Are the plans prepared by a California licensed architect or engineer?</b>	Yes	No
3. <b>Quantity.</b> Proposed ADUs on two-family or multifamily properties shall not exceed the following: <ul style="list-style-type: none"> <li>• Repurposed (Internal Conversions) ADUs – No more than 25% of the existing # of dwelling units on the property with a minimum of one (1) unit. Fractional units round down. Repurposed ADUs shall consist of <i>non-living area</i> (e.g. storage room, garages, carports).</li> <li>• Detached ADUs – Two (2) Detached ADUs (may be attached to each other)</li> </ul> <p>Existing # of Units on Property _____ New Repurposed ADUs _____ Detached _____</p> <b>Will the project site comply with the maximum allowed quantity stated above?</b>	Yes	No
4. <b>Setbacks.</b> No setbacks are required for ADU conversions within existing, permitted structures. New detached ADUs shall be required to maintain the following setbacks listed below: <ol style="list-style-type: none"> <li>a. Street-Side and Interior Side Yard: 4-Feet</li> <li>b. Rear Yard: 4-Feet</li> <li>c. Front Yard: Conform to Underlying Zoning District</li> <li>d. Setback from Other Structures: 5-Feet</li> </ol> <b>Will the ADU(s) conform to all minimum required setbacks?</b>	Yes	No  N/A
5. <b>Maximum Unit Sizes and Floor Area.</b> There are no size limitations for ADU conversions of existing, permitted structures. Newly constructed ADUs shall be equal or less than the following sizes below: <ol style="list-style-type: none"> <li>a. 850 square-feet for 1 bedrooms and studios;</li> <li>b. 1,000 square-feet for 2 or more bedrooms;</li> <li>c. If ADU exceeds thresholds above, ADUs shall not exceed 50% of the total floor area of the existing units or 1,200 square-feet whichever is less.</li> </ol> <b>Is the proposed ADU equal to or less than the following?</b>	Yes	No  N/A

<p>6. <u>ADU Building Height</u>. Detached ADUs shall be limited to 16-feet in height unless it is located within 1/2 mile of a major transit stop or high-quality transit corridor or on a site with an existing or proposed multi-story multifamily dwelling than it shall be limited to 18-feet in height. No height limitations for conversions within existing, permitted structures. Height is measured from grade to the highest point of the roof for flat roof, to the top roof line for a mansard roof and to the mid-point of the highest gable for a pitched/hip roof.</p> <p><b>Will the proposed ADU be less than maximum height?</b></p>	Yes	No
<p>7. <u>Minimum Open Space</u>: ADUs greater than 800 square feet are required to provide the minimum open space requirements of the underlying zoning district of the project site.</p> <p><b>Will the proposed ADUs comply with minimum open space requirements?</b></p>	Yes	No
<p>8. <u>Unit Connection and Entrances</u>. ADUs shall be required to have a separate, independent exterior entrance separate than the primary residence. Per Building Code, an internal connection between the ADU and the main dwelling is not allowed because of the fire rated wall requirements.</p> <p><b>Does the ADU meet the egress, access, and internal connection requirements?</b></p>	Yes	No
<p>9. <u>Fire Rating Requirements for Repurposed ADUs</u>. ADUs require a 1-hour fire rated wall that extends from the bottom of the footing to the underside of the roof deck to fully separate the existing multi-family dwelling from the repurposed ADU. If the ADU is a conversion under habitable space of the existing multi-family dwelling, the 1-hour fire rating also applies to the floor/ceiling assembly between the units.</p> <p><b>Are sections and details included in the construction documents to show compliance with a full 1-hour fire rated separation between the Repurposed ADU and primary dwelling?</b></p>	Yes	No
<p>10. <u>Fire Separation Requirements for Detached ADUs</u>. Per the Building Code, detached ADUs are considered separate homes and shall comply with the provisions in the California Residential Code related to exterior wall protection, opening limitations and fire separation distance. (See CRC R302).</p> <p><b>Do the detached ADU plans show fire rating and fire separation distance requirements from property lines and other structures as indicated in the CRC or CBC?</b></p>	Yes	No
<p>11. <u>Fire Sprinklers</u>. ADUs shall be required to have fire sprinklers if either of the following conditions exist.</p> <ul style="list-style-type: none"> <li>• The existing units have fire sprinklers.</li> <li>• There are any active improvements or additions that would require the existing units to have fire sprinklers.</li> </ul> <p><b>Will the proposed ADU(s) meet the fire sprinkler requirements?</b></p>	Yes	No
<p>12. <u>HVAC and Plumbing Requirements</u></p> <ol style="list-style-type: none"> <li>a. Does the ADU have an independently controlled heat source?</li> <li>b. Does the ADU have either an independent water heating system or a shared system that is adequately sized for both units per the California Plumbing Code?</li> <li>c. <i>Note: per Government Code Section 65852.2, an ADU is not required to have an independent drainage system. The ADU drainage is permitted to connect to the main house (see CPC 311.1)</i></li> </ol> <p><b>Does the ADU meet the plumbing and mechanical requirements above?</b></p>	Yes	No
<p>13. <u>Reach Code Requirements for Newly Constructed ADUs</u>. The City of Hayward has a local green building regulation called the Reach Code. For more information, please visit <a href="https://www.hayward-ca.gov/reach-code">https://www.hayward-ca.gov/reach-code</a></p> <p><b>Does the ADU meet all applicable requirements of the Reach Code?</b></p>	Yes	No
<p>14. <u>Separate Sale</u>. ADUs shall not be sold or otherwise conveyed separate from the primary residence.</p> <p><b>Does the applicant and property owner acknowledge this requirement?</b></p>	Yes	No
<p>15. <u>Short Term Rental</u>. ADUs shall not be utilized as commercial short-term rentals (i.e. rentals less than 30 days).</p> <p><b>Does the applicant and property owner acknowledge this requirement?</b></p>	Yes	No

<p>16. <u>ADU Address</u>: All ADUs shall have their own independent address.  <b>Does the applicant and property owner acknowledge this requirement?</b></p>	Yes	No
<p>17. <u>Impact Fees</u>: Park impact and school district fees are applicable for ADUs that are equal or greater than 750 square-feet. Affordable housing fees are applicable for ADUs that are equal or greater than 750 square-feet if the project involves two or more new units. For more information on affordable housing and park impact fees , please review the adopted Master Fee Schedule at <a href="https://www.hayward-ca.gov/your-government/documents/master-fee-schedule">https://www.hayward-ca.gov/your-government/documents/master-fee-schedule</a>. For more information on school district fees, please visit <a href="https://haywardusd-ca.schoolloop.com/DeveloperFees">https://haywardusd-ca.schoolloop.com/DeveloperFees</a>  <b>Does the applicant and property owner acknowledge that if the proposed ADU is equal or greater than 750 square feet the property owner shall pay all applicable impact fees?</b></p>	Yes	No
<p>18. <u>Utility Connection and Capacity Charges for Water and Sewer Services</u>: Utility connection and capacity charges for water and sewer services apply to all ADUs. For more information, please see attached Utility Checklist for ADUs.  <b>Does the applicant and property owner acknowledge this requirement?</b></p>	Yes	No

<p><u>Code Enforcement Violation</u>: <b>Is the proposed ADU associated with an open code enforcement case?</b> If yes, please provide the following information.</p> <p>CE Case #: _____ CE Inspector: _____</p>
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